

Application No. 10/772,810Case No. N0187US**REMARKS****I. Status**

Claims 1, 8, 16, 21, 25, and 28-30 have been amended. No new matter has been added as a result. Support for the amendments may be found on at least page 3, lines 28-30; page 4, lines 2-13 and Figures 3 and 4; page 7, lines 9-12; and page 7, line 26 – page 8, line 10 of the patent application. Claim 6 has been canceled, and claims 14 and 24 have been previously canceled. Accordingly, claims 1-5, 7-13, 15-23, and 25-30 are currently pending.

II. Objections

The Examiner objected to claim 29 because the term “a server” was recited twice in the preamble and in the body of the claim. (Office Action, page 2). Claim 29 has been amended to address the objection, as shown above.

III. Rejections Under 35 U.S.C. § 101

Claim 25 was rejected under 35 U.S.C § 101 as being directed to non-statutory subject matter.

The Examiner asserts that when a claim is directed to a computer program (software), the preamble should be written as, for example, “A computer-readable recording medium encoded with a computer program...” (Office Action, page 2). To further prosecution, the preamble of claim 25 has been amended to recite the language suggested by the Examiner.

IV. Rejections Under 35 U.S.C. § 102

Claims 21, 23, 25-26, and 28-30 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kogan (U.S. 2004/0021780).

Claim 21 and Dependents

Claim 21 recites, *inter alia*, “acquiring, by the camera, position information of the camera when the photograph is taken;” “associating, at the camera, the position information of the camera with a data representation of the photograph;” “sending the position information of the camera and the data representation of the photograph to a computing platform separate from the camera;” “querying, via the computing

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platform, a geographic database to determine a municipality based on the position information of the camera, the geographic database remote from the camera and the computing platform;" and "receiving, at the computing platform, municipality content as a function of the query." Kogan does not teach or suggest at least these features.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]). An annotated photograph reads: "John Smith's colonial style house. 1234 West Kissel Boulevard Springfield, MA 12345." (Kogan, paragraph [0028] and Figure 6).

However, there is no teaching or suggestion of acquiring position information of the camera when a photograph is taken and then querying a geographic database to determine a municipality based on the position information of the camera. Kogan relies on coordinates associated with a field of view to retrieve information concerning features within the field of view. That is not the same as querying to determine a municipality based on the camera's position information. For example, teachings of Kogan may allow a camera to be in one particular municipality and take pictures of features in a different municipality (e.g., standing by a city border). Accordingly, the coordinates associated with the field of view may not correspond to the municipality in which the camera is located.

Accordingly, claim 21 is allowable for at least these reasons. Claim 23 depends from allowable claim 21 and, therefore, is allowable for at least the same reasons.

Claim 25 and Dependents

Claim 25 recites, *inter alia*, "requesting from a remotely located map service server a municipality name corresponding to the geographic coordinates associated with each of the plurality of pictures, the remotely located map service server including data that indicates whether a landmark is observable from specific

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geographic coordinates" and "if the geographic coordinates associated with at least one of the plurality of pictures are determined to be coordinates in which the landmark is observable, receiving data indicating a name of the landmark.." Kogan does not teach or suggest at least these features.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]).

However, there is no teaching or suggestion of a remotely located map service server including data that indicates whether a landmark is observable from specific geographic coordinates. Kogan discloses a geographical database, such as the Geographical Names Information System ("GNIS"), but that is not the same as a server that includes data that indicates whether a landmark is observable from specific geographic coordinates. For example, Kogan discloses that four latitude-longitude pairs are sent to a database, and the database determines physical and cultural features within those coordinates. That is not the same as sending geographic coordinates (e.g., a latitude and a longitude) associated with a picture to a map service server in which the map service server determines if a landmark is observable from the received coordinates based on indication data related to certain coordinates in the server.

Accordingly, claim 25 is allowable for at least these reasons. Claim 26 depends from allowable claim 25 and, therefore, is allowable for at least the same reasons.

Claim 28

Claim 28 recites, *inter alia*, "wherein the computing platform is further configured to provide an option to select between: (i) text indicating a name of the municipality and (ii) text indicating a name of the landmark" and "wherein if the text indicating the name of the landmark is selected from the option, the computing platform is further configured to associate and display the text indicating the name of

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the landmark with the photograph without displaying the text indicating the name of the municipality with the photograph." Kogan does not teach or suggest at least these features.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]). An annotated photograph reads: "John Smith's colonial style house. 1234 West Kissel Boulevard Springfield, MA 12345." (Kogan, paragraph [0028] and Figure 6).

However, there is no teaching or suggestion of providing an option to select between text indicating a name of a municipality and text indicating a name of a landmark in which if the text indicating the name of the landmark is chosen, the text indicating the name of the landmark and not the text indicating the name of the municipality is displayed with a photograph.

Accordingly, claim 28 is allowable for at least these reasons.

Claim 29

Claim 29 recites, *inter alia*, "wherein the municipality content and the state content are associated with text indicating a name of the municipality and text indicating a name of the state, respectively, the text indicating the name of the municipality and the text indicating the name of the state being associated with and displayed in the photograph without other informative text via the computing platform." Kogan does not teach or suggest at least these features.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]). An annotated photograph reads: "John Smith's colonial style house. 1234

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West Kissel Boulevard Springfield, MA 12345." (Kogan, paragraph [0028] and Figure 6).

However, there is no teaching or suggestion of associating and displaying text indicating a name of a municipality and text indicating a name of a state in a photograph without other informative text. Kogan discloses annotating a photograph with various additional information.

Accordingly, claim 29 is allowable for at least these reasons.

Claim 30

Claim 30 recites, *inter alia*, "wherein an option to select between (i) text indicating a name of the municipality and (ii) text indicating a name of a landmark plus the text indicating the name of the municipality is provided via the computing platform" and "wherein if the text indicating the name of the municipality is selected from the option, the text indicating the name of the municipality and not the text indicating the name of the landmark is displayed in the photograph." Kogan does not teach or suggest at least these features.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]). An annotated photograph reads: "John Smith's colonial style house. 1234 West Kissel Boulevard Springfield, MA 12345." (Kogan, paragraph [0028] and Figure 6).

However, there is no teaching or suggestion of providing an option to select between (i) text indicating a name of a municipality and (ii) text indicating a name of a landmark plus the text indicating the name of the municipality. Also, there is no teaching or suggestion of displaying the text indicating the name of the municipality in a photograph without displaying the text indicating the name of the landmark if the text indicating the name of the municipality is selected from the option.

Accordingly, claim 30 is allowable for at least these reasons.

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A. Claims 1-7 and 16-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Imagawa, et al. (U.S. 6,657,666) in view of Kogan. Claims 8-13 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Imagawa, et al. in view of Pelletier (U.S. 6,690,883).

Claim 1 and Dependents

Claim 1 recites, *inter alia*, "an application that uses the database, determines in which municipality the physical position is located, associates data indicating a name of the municipality and a name of an associated state with an image acquired by the image acquiring means and displays the name of the municipality and the name of the associated state together with the image without other informational text." The cited references do not teach or suggest at least these features and do not render the claim as obvious.

Imagawa, et al. disclose a shot apparatus, such as a video-camera or still-camera, in which a shot object and shot position can be displayed with a name of a country, a prefecture, and city and a proper or specific name of a mountain, river, or building. (Imagawa, et al., column 2, lines 19-23 and column 4, lines 41-48). Figures 3 and 4 of Imagawa, et al. show text or a name of shot positions and shot objects within a window or border that is displayed on top of a picture.

Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraph [0005]). A digital camera is used to determine the four end-points of the field of view of each photograph in terms of a global coordinate system. (Kogan, paragraph [0024]). The four latitude-longitude pairs are then used to query a database for physical and cultural features found within those coordinates for annotation purposes. (Kogan, paragraphs [0024] and [0026]). An annotated photograph reads: "John Smith's colonial style house. 1234 West Kissel Boulevard Springfield, MA 12345." (Kogan, paragraph [0028] and Figure 6).

However, even if one of ordinary skill in the art would have combined the references, the combination does not teach or disclose displaying a name of a municipality and a name of an associated state together with the image without other informational text. Both Imagawa, et al. and Kogan disclose displaying additional

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information or text, such as text concerning cultural or physical features (e.g., lake, mountain, or house information).

Accordingly, claim 1 is allowable for at least this reason. Claims 2-5 and 7 depend from allowable claim 1 and, therefore, are allowable for at least the same reasons.

Claim 8 and Dependents

Claim 8 recites, *inter alia*, "displaying the name of the municipality and the name of the corresponding country without other descriptive text together with the image." The cited references do not teach or suggest at least these features and do not render the claim as obvious.

Imagawa, et al. disclose a shot apparatus, such as a video-camera or still-camera, in which a shot object and shot position can be displayed with a name of a country, a prefecture, and city and a proper or specific name of a mountain, river, or building. (Imagawa, et al., column 2, lines 19-23; column 4, lines 41-48; and Figures 3 and 4).

Pelletier discloses a need for a self-annotating camera having the capability of obtaining and printing various pieces of information on photographs. (Pelletier, column 1, lines 39-41). Pelletier further discloses a self-annotating camera that obtains information relating to a photograph via multiple information sources. (Pelletier, column 2, lines 30-35). A photograph is annotated with the text "George eating lunch in the sun near the Eiffel Tower, Paris, France 10/15/01." (Pelletier, column 6, lines 11-28 and Figure 4).

However, even if one of ordinary skill in the art would have combined the references, the combination does not teach or disclose displaying a name of a municipality and a name of a corresponding country without other descriptive text together with the image. Both Imagawa, et al. and Pelletier disclose displaying additional descriptive information or text with an image.

Accordingly, claim 8 is allowable for at least this reason. Claims 9-13 and 15 depend from allowable claim 8 and, therefore, are allowable for at least the same reasons.

Application No. 10/772,810Case No. N0187USClaim 16 and Dependents

Claim 16 recites, *inter alia*, "providing an option to move the text indicating the name of the municipality to any part of the image." The cited references do not teach or suggest at least this feature and do not render the claim as obvious.

Imagawa, et al. disclose a shot apparatus, such as a video-camera or still-camera, in which a shot object and shot position can be displayed with a name of a country, a prefecture, and city and a proper or specific name of a mountain, river, or building. (Imagawa, et al., column 2, lines 19-23; column 4, lines 41-48; and Figures 3 and 4). Kogan discloses automatically annotating digital photographs with features within a camera's field of view. (Kogan, paragraphs [0005], [0024], and [0026]).

However, even if one of ordinary skill in the art would have combined the references, the combination does not teach or disclose providing an option to move text indicating a name of a municipality to any part of an image.

Accordingly, claim 16 is allowable for at least this reason. Claims 17-19 depend, directly or indirectly, from allowable claim 16 and, therefore, are allowable for at least the same reasons.

B. Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Imagawa, et al. in view of Kogan and further in view of Pelletier. Claim 22 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Imagawa, et al. in view of Pelletier and further in view of Baron (U.S. 6,459,388). Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kogan in view of Pelletier.

Dependent Claims 20, 22, and 27

Claims 20, 22, and 27 depend from allowable claims 16, 8, and 25, respectively. Accordingly, claims 20, 22, and 27 are allowable for at least the same reasons discussed above.

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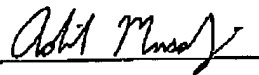
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VI. Summary

It is respectfully asserted that all of the pending claims are patentable over the cited references, and allowance of the pending claims is earnestly solicited. If the Examiner believes that a telephone interview would be helpful in resolving any outstanding issues, the Examiner is respectfully invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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